

Appln. No. 10/637,211

Attorney Docket No. 10541-1810

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I. Amendments to the Claims

1. (Cancelled).

2. (Cancelled).

3. (Currently Amended): ~~The system according to claim 1,~~ An automotive multimedia entertainment system for an automotive vehicle having a plurality of audio output devices, the system comprising:

an audio system adapted to communicate with the plurality of audio output devices, the audio system having a first and second output channel;

a headphone including controls located on the headphone, the controls adapted to configure the audio system;

a two way wireless communication link providing audio signals to the headphone and providing a set of control signals to the audio system;

a set of front speakers and a set of rear speakers, said sets of front and rear speakers being in communication with the audio system, the audio system having a switch with first and second modes;

in the first mode, the switch connecting the set of rear speakers and the headphone to the first output channel and the controls configuring the first output channel; and

in the second mode, the switch deactivating the set of rear speakers and connecting the headphone to the second output channel, further in wherein the second mode of the switch, the controls can configure configuring the second output channel.

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4. (Cancelled).

5. (Currently Amended): The system according to claim [[1]] 3, wherein the headphone includes a power on control and the headphone is adapted to automatically change the switch of the audio system into the second mode when the power on control is activated.

6. (Currently Amended): The system according to claim [[1]] 3, wherein the headphone includes a transceiver.

7. (Original): The system according to claim 6, wherein the transceiver is an infrared transceiver.

8. (Original): The system according to claim 6, wherein the transceiver is a radio frequency transceiver.

9. (Currently Amended): The system according to claim [[1]] 3, further comprising at least one additional headphone including controls adapted to configure the audio system, each additional headphone adapted to communicate the set of control signals over the two-way communication link such that the set of control signals from the headphone are interchangeable with the set of control signals from the at least one additional headphone.

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10. (Currently Amended): An automotive multimedia entertainment system for an automotive vehicle having a plurality of audio output devices, the system comprising:

an audio system adapted to communicate with the plurality of audio output devices, the audio system having a first and second output channel;

a headphone including controls, the controls being adapted to configure the audio system;

a two way wireless communication link for providing audio signals to the headphone and providing a set of control signals to the audio system;

a set of front speakers and a set of rear speakers, the sets of front and rear speakers being in communication with the audio system, the audio system having a switch with first and second modes, in the first mode the switch connecting the set of rear speakers and the headphone to the first output channel, in the second mode the switch deactivating the set of rear speakers and connecting the headphone to the second output channel, wherein the headphone includes a power on control located on the headphones and the headphone is adapted to automatically send signals to the audio system over the two-way wireless communication link to change the switch of the audio system into the second mode when the power on control is activated.

11. (Original): The system according to claim 10, wherein the first mode of the switch controls can configure the first output channel.

12. (Original): The system according to claim 10, wherein the second mode of the switch the controls can configure the second output channel.

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13. (Original): The system according to claim 10, wherein the controls adapted to configure the audio system are located on the headphone.

14. (Original): The system according to claim 10, wherein the headphone includes a transceiver.

15. (Original): The system according to claim 14, wherein the transceiver is an infrared transceiver.

16. (Original): The system according to claim 14, wherein the transceiver is a radio frequency transceiver.

17. (Original): The system according to claim 10, further comprising at least one additional headphone including controls adapted to configure the audio system, each additional headphone adapted to communicate the set of control signals over the two-way communication link such that the set of control signals from the headphone are interchangeable with the set of control signals from the at least one additional headphone.

18. (Currently Amended): A method for controlling an automotive multimedia entertainment system comprising the steps:

transmitting an audio signal from a audio system to a set of front speakers and a set of rear speakers;

transmitting a control signal from a headphone over a wireless communication link to the audio system when a power on control in the headphone is activated;

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deactivating the rear set of speakers; and
transmitting an audio signal over a wireless communication link to the
headphone based on the control signal.

19. (Original): The method according to claim 18 wherein the steps of
deactivating of the rear set of speakers and transmitting an audio signal to the
headphone occur simultaneously.

20. (Original): The method according to claim 18, further comprising the
step of generating the control signal in response to a control mounted to the
headphone.

21. (Original): The method according to claim 18, wherein the steps of
deactivating the rear set of speakers and transmitting an audio signal to the
headphones occur automatically as the headphones are powered on.

22. (Original): The method according to claim 18, wherein the wireless
communication link is an infrared wireless communication link.

23. (Original): The method according to claim 18, wherein the wireless
communication link is a radio frequency wireless communication link.

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II. Remarks

Reconsideration and re-examination of this application in view of the above amendments and the following remarks is herein respectfully requested.

After entering this Amendment, claims 3 and 5-23 remain pending. Claims 1, 2, and 4 have been cancelled.

Claim Rejections – 35 U.S.C. §103

Claims 1-4, 6-9, 18-20, and 22-23 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Publication 2003/0053638 A1 to Yasuhara (Yasuhara) in view of U.S. Publication No. 2002/0102949 A1 to Langer (Langer).

Claim 3 now recites that, in the first mode of the switch, the controls can configure the first output channel and, in the second mode of the switch, the controls can configure the second output channel. In referring to these elements on page 4 of the previous Office Action, the examiner merely refers to Figure 8, item 72 of Yasuhara noting "can stop and play." However, when referring to Figure 8, a remote control for the DVD player of Yasuhara is provided. This is further referenced in the specification at paragraph 73 on page 6. Revisiting the elements of claim 3, the controls on the remote control are not located on the headphone. Further, the controls only serve to control the DVD player and do not switch between control of the first output channel in a first mode and a second output channel in a second mode. As such, Yasuhara does not teach the present invention according to claim 3. In addition, claims 6-9 depend from claim 3 and are, therefore, patentable for at least the same reasons as given above in support of claim 3.

With regard to claim 9, the examiner purports to take official notice that universal remote controls are well known in the art. However, general universal

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remote controls are wholly different from the present invention and do not even establish a two way communication link. As such, the official notice taken by the examiner is respectfully traversed and the examiner is requested to provide factual support for the rejection of claim 9.

Claim 18 recites "transmitting a control signal from a headphone over a wireless communication link to the audio system when a power on control in the headphone is activated." Further, claim 18 also includes the activating the rear set of speakers and transmitting an audio signal over the wireless communication link to the headphone based on the control signal.

The examiner relies on Langer to teach "a control signal from a headphone over a wireless communication link to the audio system". However, nothing in Langer teaches that the wireless control signal corresponds to the headphones being powered on. Rather, Langer uses a remote control unit separate from the headphones and, since the headphones described in Langer appear to be passive, the remote control unit does not even know if the headphones are connected to the remote control unit. Simply stating that any generic wireless control signal is send from a remote control to an audio system, does not consider the elements of the claim that relate the powering on of remote headphones to the switching of the rear speakers. As such, the cited references do not teach the present invention according to claim 18. Further, claims 19-20 and 22-23 depend from claim 18 and are, therefore, patentable for at least the same reasons as given above in support of claim 18.

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Claims 5, 10-17, and 21 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Yasuhara in view of Langer, and U.S. Patent No. 5,661,811 to Huemann et al. (Huemann).

Claim 5 depends from claim 3. Huemann does not teach the elements of claim 3 noted above as missing from Yasuhara and Langer. Therefore, claim 5 is patentable for at least the same reasons as given above in support of claim 3.

Referring to claim 10, the examiner relies on Huemann to teach headphone circuitry including a power on control and that the circuit is adapted to automatically change the audio system from a speaker mode to a headphone mode when the power on control is activated. To support this contention, the examiner refers to Figure 2, item 60. However, claim 10 now recites wherein the headphone includes a power on control located on the headphones and the headphone is adapted to automatically send signals to the audio system over the two-way wireless communication link to change the switch of the audio system into a second mode when the power on control is activated. These elements clearly differentiate from Huemann. Huemann does not show a power on control on the headphones. Rather, power from the headphones is provided by the rear audio system and the power on switch 60 referred to by the examiner is the power on switch for the entire rear audio system. In addition, there is no two-way wireless communication link between the headphone and the rear or front audio systems. Therefore, clearly the reference does not teach automatically sending a control signal over the two-way wireless communication link to change into the second mode when the power on control in the headphone is activated. Claims 11-17 depend from claim 10 and are, therefore, patentable for at least the same reasons as given above in support of claim 10.